

Planning Board Workshop Notes

The Planning Board hosted a workshop on Wednesday, September 19, 2018 at the Island Hall beginning at 7:00 PM

Planning Board Members Present: Bob Earnest, Jane Frizzell, Danny Molloy, Caitlin Bowman, Chip Corson, Kyle Koerber

Also present: Marjorie Stratton, Gloria Brown, Ehrhardt Groothoff, Carol White and Herb Maine, Tony and Adele Gorody, B.J. Abrahamson, Mike and Barbara Porter, Carla and Corkie Clarke, Erika Neumann, Ursula King, Jim and Anne Gallagher, Donna Damon, David Brunner, Mary Cushman, Rich Hubbell, Jack Rent, Ruth Slagle, Jackie Trask, Thor Peterson, Linda Wolf, Ballard Campbell, Linda and Sky Grant, Betsy Gaston, Sue Burgess, Rich Hubbell

Chair Bob Earnest called the meeting to order at 7:00 PM. Bob welcomed everyone. He explained the Planning Board's process to this point with a few slides, then invited comments.

Carol White said our water supply is a lens of fresh water floating on top of salt water. It is not connected to the mainland, but isolated to just the island. Our water supply is solely dependent on rainfall for aquifer recharge.

Bob said some wells near the shore have shown salt water intrusion; both dug and drilled wells.

Bob reported that Chris Loder had stopped in before the meeting began. Chris' suggestion is to make a rule to not allow more than three unregistered cars on a property. A concern is that there is no program in place to remove old cars from the island. Winter road salt, herbicides and pesticides are other concerns.

Septic systems

- Bob reported that in Brunswick all homeowners have to submit to the town a certificate that they've had their septic system pumped every 2 years. In Topsham it's every 3 years. Pat Jackson, Inc. recommends that systems be pumped at least every 5 years.
- Ursula King said roots growing into the septic system and antibacterial soap are threats to septic systems.
- Erhardt Groothoff suggested an educational flyer be included in tax bills; the flyer could require a response from property owners.

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- Rich Hubbell said there are lots of different ideas of what to do, but more research is needed before making rules.
- Pat Jackson, Inc. does not call past customers to encourage them to pump again.
- The State of Maine does have subsurface waste regulations.
- Ursula raised the question of pros and cons of installing a septic tank riser.
- Tony Gorody suggested monitoring wells as an affordable way of testing septic systems. Bob pointed out that by the time contaminants show up in well water, the system has already failed, and the contaminants migrated to the well.
- Rich suggested economic incentives could be tried. A negative incentive would be a fine. A positive incentive might be a tax credit.
- Tony said a home with a failed septic system would be hard to sell – and the value would be reduced.
- Erika Neumann – a tax credit/rebate would be illegal. (Marjorie confirmed.)
- Bob asked about the Town paying to have septic systems pumped. There have been some examples of this in other towns.
- What about State help for replacement of septic system on a need basis?
- Carol reported that the State only has funding for overboard discharges.
- Mary Cushman asked if there are still cesspools on the island. Consensus was “yes.” Town property cards should indicate if a property has a cesspool. Carol reported that in Massachusetts, any time a property is transferred, the septic system has to be inspected and if necessary replaced to meet current code requirements. This requirement was debated but not adopted in Maine, although some towns might have adopted it.
- Jackie Trask asked if cesspools were concentrated in one area of the island. Bob’s response is that cesspools are generally associated with older homes.
- DHHS & Pat Jackson agree that systems need to be properly maintained.
- Herb Maine: What if town were to cover just barging septic pumper to help relieve burden on property owners? Town would not be responsible for pumping, but it would add to taxes.
- Donna Damon suggested a “sinking fund” for people who don’t have the thousands of dollars needed to replace a failed system. Also, probably a lot of people don’t know how to maintain a septic system—education needed.
- Ursula reported that she receives a report on several maintenance items with her tax bill at her other home.
- Carol said that although some septic systems fail anyway, maintaining a septic system will at least help one last longer.
- Adele Gorody suggested that a risk assessment be conducted.
- Bob asked if there is a way to study our island, to analyze and prioritize potential threats to the aquifer.
- Carol responded that petroleum probably rises to the top of the list.
- Ruth Slagle asked about the long-term impact on the island water supply of the summer influx of visitors and low rainfall. Carol responded that the summer influx is usually considered temporary, but that a lot of coastal communities that are experiencing this issue. Some communities have looked at controlling the

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number of occupants in a rental house. But usually septic systems are sized on the number of bedrooms, not the number of people.

- Bob asked about the permanent impact of increased numbers of in-comers.
- Donna reported that the year-round population goes up and down. Data on the trend in number of summer visitors: Donna said we do know there are a definite number of houses, we just don't know how many people are in the houses on any given day.
- Ursula said that beyond quantity of water, we might want to consider quality of water and conservation measures.
- Bob asked Carol about a previous water study. Carol responded that in 2005 the water quantity was well above the estimated "carrying capacity" at that time.
- Ted Curtis asked if we should have a water study done every couple of years so we have a benchmark. A lot has happened in the last few years.
- Bob responded that this raises a larger question which was raised during the Comprehensive Plan design: all of our talk about building permit caps and transportation issues was somewhat moot until we figured out the overall carrying capacity of the island. How many houses at what percent occupancy per year can the town support in terms of transportation, water, subsurface disposal, quality of living, open space preservation, etc?
- Donna was asked about historical population figures. 1920 was about the lowest population of about 385, following a mass migration. In the 1890's there were about 600 people. In modern times, year-round population fluctuate between 361 and 381. Subsequent comments included number of children in a family, newer generations' changes in laundry and hygiene habits; also modern code requirements for low-flow water fixtures.
- Donna brought us back to the question of how to quantify the island's "carrying capacity." She said that one of the biggest criteria is parking at Cousins Island.

Fuel Oil Tanks

- Kyle Koerber stated that the State has a community action program for fuel tank replacement for low income homeowners.
- DEP came out here and replaced a bunch of tanks a number of years ago. They could come out again to provide education and to replace tanks.
- A feed line from oil tank to actual boiler or burner may have originally been installed beneath the concrete floor. Best practice is to install a new line above ground so it can be monitored.
- DEP could identify tanks that are at risk and subsidize replacement for low income homeowners.
- Some oil companies can ultrasonically test the integrity of oil tanks (thickness of the steel) as part of their annual boiler/burner tune-up.
- A number of communities in Maine and on Cape Cod have required double-walled tanks to be installed when old tanks are replaced and for new construction.
- Could this be a requirement of fuel deliverers, as part of the business requirements for the fuel deliverers licensed in this town that they do an annual

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inspection for their customers and document the status? If there is a problem, would the fuel company have to report it? Bob asked if anyone on the island has the equipment Kyle is talking about. Kyle said it would make more sense for it to be a boiler/burner service person rather than a fuel deliverer. Sometimes an inspection of the fuel system is part of an insurance inspection. Not everybody gets a tune-up every year. Fuel deliverers have some liability just hooking up to your tank if there is a catastrophic failure

- As long as homeowners notify the DEP right away, DEP will pay for the clean-up of a catastrophic failure, minus any deductible. And the deductible may be waived if you have a passing ultrasound within the past 12 months.
- Ursula suggested this is another item of information that homeowners could report to the Town with their tax payment: How often do you get your heating system tuned-up and when was the last inspection or service?
- Donna suggested that conversion to electric heat could be required for new or replacement heating systems.
- Sometimes DEP helps people convert to gas when oil systems have failed.
- Bob asked if the town could pay to have fuel oil tanks inspected. Carol said there is some personal responsibility for the homeowner to maintain their tank. There are a lot of rules and regulations in place. More education is good. DEP would be willing to come out and talk to people.
- Mary said education is desperately needed. She thinks most people don't think about these maintenance issues. We would be more successful by getting people to choose to comply, rather than to impose something on them, but they won't choose if they don't understand why they need to choose to comply.
- Sue Burgess added that the education needs to include a section about the state/local resources that are available to help eliminate peoples' fears of financial burden.
- Ursula about encouraging compliance: Town could facilitate scheduling group appointments for service providers to minimize barge/transportation costs.

Old Cars

- Marjorie reported that on Matinicus, you pay for vehicle removal when you bring a vehicle to that island.
- Ursula: town to facilitate by encouraging person to do the right thing.
- Michael: require a deposit when a vehicle is brought to the island; return the deposit when it is removed from the island

Salt Water Intrusion

- The town does not have an ordinance about drilling wells within a certain number of feet of the shore.
- Carol said some island communities have a well-permitting program.

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- Ted asked if we could map the wells that have salt. Carol said yes, but to some extent where the salt spreads depends on which way the underground rocks crack.
- Road salt on town roads: Bob reported on driving in Ontario where they didn't plow snow, driving on top of the snow. It's a safety issue here.
- Ursula said some towns have developed standards with the help of scientists, with different treatments for different situations.
- Carol pointed out that some towns only salt intersections.

Herbicides and Pesticides

- Educational events in the past attracted folks who were already aware of issues
- Ann Gallagher suggested educational brochure for new island property owners
- Adele suggested broader scope of educational brochure to cover how individual activities effect the whole island.
- Donna suggested a mailing to all property owners with color pictures. People don't want to read a lot of words.
- Linda Wolf asked if the golf course uses fertilizer. Linda Grant responded that the golf course uses all-organic fertilizer.
- Discussion re: nitrogen
- Ursula suggested adding Fertilizers to Herbicides and Pesticides
- Erika suggested risk assessment before education and prioritize which risks to include in educational materials—to not overwhelm people
- Carol recommended well registration program as recommended in the Comp Plan as a first step in an assessment. A study done in 2005 could provide base information for such a program database. About 8-10 wells are drilled each year. So this data could be brought up to date relatively easily. A well-permitting process could provide ongoing data.
- Sky Grant asked if anyone was officially recording tonight's comments. The answer was yes.
- Ted asked if a person had their well tested, is that information available to the public. Carol responded that it is considered private information, so any program to collect that data would have to be voluntary. Having a community-wide coordinated sampling program, paid for by property owners, could encourage sharing water quality test results.
- Ursula suggested taking septic system information from property tax cards to add to existing well database, such information to be used when there is a problem.
- Bob raised the issue of who will do this recordkeeping. Could we get an Island Fellow for a couple years?
- Michael: the first question about recordkeeping is to decide this is something we (the people) want to do. Then it's up to the Town to figure out who will do the work and how to pay for the work.

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Concluding Comments

- Susan: part of the education component (as motivation) would be to remind people that Peaks Island's water supply used to be all wells, but now they have water piped over from Portland.
- Bob: implementation of the Comprehensive Plan is not the responsibility of the Planning Board. The Planning Board is working toward changes in the zoning ordinances. Most of what was discussed at this meeting was not changes to the ordinances, but about community education and recordkeeping.
- Recommended: implementation of systems for recording data on wells, septic systems, fuel tanks and old cars.
- Rich mentioned the priority of petroleum contamination.
- Ted suggested using a page in the monthly Calendar for education.
- Mary: a device to get people thinking about this whole area of concern: a bumper sticker: "No Aquifer, No Island."

The meeting adjourned at 8:45 PM

Respectfully submitted,

Gloria Brown
Deputy Clerk